IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 3RD AUGUST 2007 / 12TH SRAVANA 1929

WP(C).No. 23712 of 2007(W)

AS.76/2004 of SUB COURT,NEYYATTINKARA

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PETITIONER:

RAJAKUMAR, S/O. GREGORY,
LITTLE PALACE, EANTHIKALA, ARAYOOR P.O.,
CHENKAL, AMARAVILA, NEYYATTINKARA,
THIRUVANANTHAPURAM.

BY ADV. SRI.SAJU.S.A

RESPONDENTS:

RANI AYARIN, D/O. GREGORY,
CHUNDAVILA, ERICHALLOOR, PLAMOOTUKADA P.O.,
KARODU VILLAGE, PARASSALA,
THIRUVANANTHAPURAM DISTRICT.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.KRISHNAN, J.

WP(C)No. 23712 OF 2007 W

Dated this the 3rd August, 2007.

JUDGMENT

This writ petition is filed seeking a direction to the Subordinate Judge's Court, Neyyattinkara to dispose of Exts.P1 and P2 before final hearing of A.S.76/04. The two applications are one for amendment of the written statement and the second for reception of documents under Order XLI Rule 27 CPC. Certainly the petition for amendment of the written statement may have a straight bearing in hearing the appeal itself for the reason that if it is allowed the matter has to automatically go back to the trial court for further consideration. Therefore, the court below is directed to consider Exts.P1 and P2 before hearing the appeal A.S.76/04 as expeditiously as possible. Writ petition is disposed of accordingly.

M.N.KRISHNAN
Judge

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